

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TRUSTEES OF THE IBEW LOCAL 400
WELFARE, PENSION, ANNUITY,
SUPPLEMENTAL, AND JOINT
APPRENTICESHIP TRAINING
FUNDS, et al.,

Plaintiffs,

v.

FOUR DIRECTIONS, INC. d/b/a J. FORD
ELECTRIC,

Defendant.

Civil Action No. 18-9012 (MAS) (TJB)

MEMORANDUM ORDER

This matter comes before the Court upon Plaintiffs the Trustees of the IBEW Local 400 Welfare, Pension, Annuity, Supplemental, and Joint Apprenticeship Training Funds, and the International Brotherhood of Electrical Workers Local Union 400's (collectively, "Plaintiffs") unopposed Motion for Release of Funds as to Garnishee JP Morgan Chase Bank ("JP Morgan"). (ECF No. 14.)

On February 19, 2019, default judgment was entered against Defendant Four Directions, Inc. d/b/a J. Ford Electric ("Defendant") in the amount of \$34,181.79. (Feb. 19, 2019 Order, ECF No. 8.) On April 15, 2019, a Writ of Execution was recorded in the Clerk's Office, which was then served upon JP Morgan (Apr. 18, 2019 Return of Service, ECF No. 11.) On May 16, 2019, however, Plaintiffs requested an order dissolving the Writ of Execution (Pls.' May 16, 2019 Correspondence, ECF No. 10), which the Court granted (Sept. 4, 2019 Order, ECF No. 13).

Plaintiffs assert the default judgment remains unsatisfied in the amount of \$7,469.79 and now move to compel JP Morgan to turn over the funds in Defendant's account that were levied

upon via a February 13, 2020 Writ of Execution. (Pls.' Pet. to Release Funds ¶¶ 2–4, ECF No. 14-1.) Plaintiffs, however, do not address the Court's September 4, 2019 Order dissolving the Writ of Execution. (*See generally id.*) Nor do Plaintiffs indicate why they now seek to compel JP Morgan to release the funds despite previously seeking to "release and/or dissolve the levy with the [b]ank." (*Id.*; *see also* Pls.' May 16, 2019 Correspondence.) Furthermore, a review of the docket shows that no additional Writ of Execution was recorded following dissolution. Because Plaintiffs fail to address these issues, the Court cannot compel JP Morgan to release the funds in Defendant's account. Accordingly, for the reasons set forth above, and for good cause shown,

IT IS on this 31st day of August 2020, **ORDERED** that:

1. By **September 21, 2020**, Plaintiffs must provide a supplemental submission addressing the dissolution issues mentioned above and detailing why the Court should, despite the September 4, 2019 dissolution, compel JP Morgan to release the funds in Defendant's account.
2. All proceedings in this action are stayed and Plaintiffs' pending motion (ECF No. 14) is administratively terminated pending Plaintiffs' production of the aforementioned supplemental submission.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE